

## REMARKS

Claims 1 through 20 are in this application and are presented for consideration. Claims 1, 8, and have been amended. Claim 20 has been added. The amended and new claims have been added to further highlight and more clearly point out the important features of the invention.

The previous independent claims have been rejected as being anticipated by Fadner '127.

Claim 1 has been amended to set forth that the elevated surface areas between the circumferential and longitudinal flutes form less than 15% of a surface of the roller. Support for this can be found in the present specification in paragraph 38. Applicant finds no teaching nor suggestion of this particular amount of surface area in Fadner. Fadner does indicate in column 6 lines 36-45 that the volume and frequency of the depressions are selected based on the volume of ink needed. However the surface area of the elevated portions is not specified in the specification.

Fadner does indicate in figures 3 and 4 that the "Land Area" can be 44% and 20%. This appears to translate into an elevated surface area of between 56% and 80%. These values are not mentioned in the description and thus they could be construed as sole disclosed lower and upper limits. In this case, a restriction of the elevated roller surface to 15% or less would be a significant reduction of the serviceable surface of the roller of Fadner which is not known in the prior art.

Applicant further notes that the volume of the depressions could be increased by increasing the depth of the depressions while maintaining the "Land Area" the same. It is only

applicant who has specifically set forth this relatively low surface area of the elevated areas.

Claim 1 therefore cannot be anticipated by Fadner.

Claims 13 and 20 have been amended or added to set forth that the surface area of the elevated areas is between 10% and 20%. As described above, Fadner does not specifically teach this amount of surface area, and instead leads a person of ordinary skill to a much higher amount of surface area. Claims 13 and 20 therefore also define over the prior art.

Claims 2 through 7 set forth further features of the webs and flutes. These further features in addition to the limit of the surface area of the elevated areas, is unique, unanticipated, and not obvious. It is only the present application which has discovered that such a relatively low amount of surface area of the elevated areas can be satisfactorily used, especially when the flutes and the webs have the characteristics set forth in the dependent claims. All these characteristics of the webs, flutes, and elevated areas work together to form a synergy which is not taught or suggested in the prior art. Claims 2 through 7 therefore further define over the prior art.

Claims 8 and 15 set forth “predominantly” circumferential flutes and “predominately” longitudinal flutes. In section 7 of the office action, the Examiner indicates that Fadner describes two sets of flutes which could be considered both circumferential and longitudinal. The Examiner appears to agree that both sets of depressions in Fadner appear to be symmetrical. However “predominately” circumferential flutes will be more circumferential than longitudinal. Likewise “predominately” longitudinal flutes will be more longitudinal than circumferential. Applicant finds no teaching nor suggestion in Fadner that any of the

depressions are more circumferential than longitudinal, or vice versa. In fact, if the depressions in Fadner are symmetrical, they will both have the same amount of longitudinal and circumferential direction. The “predominant” circumferential and longitudinal direction of claims 8 and 15 are therefore not taught nor suggested in Fadner. These claims therefore also define over the prior art.

Claims 2-4, 9-11 and 16-17 are rejected as being obvious over Fadner. This rejection states that a person of ordinary skill would recognize that the optimal shape of the flutes would vary depending upon the required application. However the rejection does not indicate why the person of ordinary skill in the art would recognize this. If this is based on the personal knowledge of the Examiner, applicant respectfully requests that the Examiner give official notice of this personal knowledge.

Applicant finds no teaching nor suggestion in the applied prior art of different applications requiring or benefitting from different shapes of flutes. Therefore a person of ordinary skill would not be led by the applied prior art to vary the shape of the flutes depending on the application.

Furthermore, there are many different ways to vary the shape of flutes. As an example, some of the parameters of a flute that can be changed are: the number of flutes, the number of different sets of flutes, the direction of the different sets of flutes, the width of the flutes, the depth of the flutes, the linearity of the flutes, the spacing between the flutes, and the spacing between intersections of the flutes. Applicant finds no teaching nor suggestion in the applied prior art of changing any of these parameters of flutes. Furthermore, applicant finds no teaching

nor suggestion in the prior art of changing any of the parameters set forth in claims 2-4, 9-11, and 16-17. Without any incentive in the prior art that these parameters should or could be varied depending on the required application, a person of ordinary skill would not be led to determine these parameters through routine experimentation. Therefore the applied prior art does not lead a person of ordinary skill in the art to determine the parameters of the above claims through routine experimentation. These claims therefore further define over the prior art.

The present invention provides an inking roller with a unique design of flutes that improves ink transfer and improves printing quality. The present invention is an improvement over the prior art designs and is therefore worthy of patent protection.

If the Examiner has any comments or suggestions which would further favorable prosecution of this application, the Examiner is invited to contact applicant's representative by telephone to discuss possible changes.

At this time applicant respectfully requests reconsideration of this application, and based on the above amendments and remarks, respectfully solicits allowance of this application.

Respectfully submitted  
for Applicant,

  
By: \_\_\_\_\_  
Theobald Dengler  
Registration No. 34,575  
McGLEW AND TUTTLE, P.C.

TD:tf  
71830-10

Attached: Petition for Three Month Extension of Time

DATED: September 17, 2008  
BOX 9227 SCARBOROUGH STATION  
SCARBOROUGH, NEW YORK 10510-9227  
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE  
IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-  
0410.